

House File 2540 - Reprinted

HOUSE FILE _____
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 705)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to and making appropriations involving state
2 government, including provisions affecting agriculture and
3 natural resources and providing fees.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 5190HV 81
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1 1 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
1 2 GENERAL APPROPRIATIONS
1 3 Section 1. GENERAL FUND == DEPARTMENT. There is
1 4 appropriated from the general fund of the state to the
1 5 department of agriculture and land stewardship for the fiscal
1 6 year beginning July 1, 2006, and ending June 30, 2007, the
1 7 following amount, or so much thereof as is necessary, to be
1 8 used for the purposes designated:
1 9 For purposes of supporting the department, including its
1 10 divisions, for administration, regulation, and programs, for
1 11 salaries, support, maintenance, miscellaneous purposes, and
1 12 for not more than the following full-time equivalent
1 13 positions:
1 14 \$ 17,837,900
1 15 FTEs 404.39
1 16 Of the amount appropriated in this section at least \$50,000
1 17 shall be allocated to support a program relating to the
1 18 detection, surveillance, and eradication of the gypsy moth.
1 19 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
1 20 DESIGNATED APPROPRIATIONS == ANIMAL HUSBANDRY
1 21 Sec. 2. GENERAL FUND == CHRONIC WASTING DISEASE CONTROL
1 22 PROGRAM. There is appropriated from the general fund of the
1 23 state to the department of agriculture and land stewardship
1 24 for the fiscal year beginning July 1, 2006, and ending June
1 25 30, 2007, the following amount, or so much thereof as is
1 26 necessary, to be used for the purposes designated:
1 27 For purposes of administering a chronic wasting disease
1 28 control program for the control of chronic wasting disease
1 29 which threatens farm deer as provided in chapter 170,
1 30 including for salaries, support, maintenance, and
1 31 miscellaneous purposes:
1 32 \$ 100,000
1 33 The program may include procedures for the inspection and
1 34 testing of farm deer, responses to reported cases of chronic
1 35 wasting disease, and methods to ensure that owners of farm
2 1 deer may engage in the movement and sale of farm deer.
2 2 Sec. 3. HORSE AND DOG RACING. There is appropriated from
2 3 the moneys available under section 99D.13 to the department of
2 4 agriculture and land stewardship for the fiscal year beginning
2 5 July 1, 2006, and ending June 30, 2007, the following amount,
2 6 or so much thereof as is necessary, to be used for the
2 7 purposes designated:
2 8 For purposes of supporting the department's administration
2 9 and enforcement of horse and dog racing law pursuant to
2 10 section 99D.22, including for salaries, support, maintenance,
2 11 and miscellaneous purposes:
2 12 \$ 305,516
2 13 Sec. 4. GENERAL FUND == DAIRY PRODUCTS CONTROL. There is
2 14 appropriated from the general fund of the state to the
2 15 department of agriculture and land stewardship for the fiscal
2 16 year beginning July 1, 2006, and ending June 30, 2007, the
2 17 following amount, or so much thereof as is necessary, to be

2 18 used for the purposes designated:
 2 19 For purposes of supporting the operations of the dairy
 2 20 products control bureau, including for salaries, support,
 2 21 maintenance, and miscellaneous purposes:
 2 22 \$ 693,166
 2 23 Sec. 5. GENERAL FUND == AVIAN INFLUENZA CONTROL. There is
 2 24 appropriated from the general fund of the state to the
 2 25 department of agriculture and land stewardship for the fiscal
 2 26 year beginning July 1, 2006, and ending June 30, 2007, the
 2 27 following amount, or so much thereof as is necessary, to be
 2 28 used for the purpose designated:
 2 29 For purposes of controlling avian influenza by conducting
 2 30 testing and monitoring:
 2 31 \$ 50,000
 2 32 Notwithstanding section 8.33, moneys appropriated in this
 2 33 section that remain unencumbered or unobligated at the close
 2 34 of the fiscal year shall not revert but shall remain available
 2 35 for the continued testing and monitoring of avian influenza
 3 1 until the close of the succeeding fiscal year.
 3 2 Sec. 6. GENERAL FUND == APIARY LAW. There is appropriated
 3 3 from the general fund of the state to the department of
 3 4 agriculture and land stewardship for the fiscal year beginning
 3 5 July 1, 2006, and ending June 30, 2007, the following amount,
 3 6 or so much thereof as is necessary, to be used for the
 3 7 purposes designated:
 3 8 For purposes of administering and enforcing apiary law as
 3 9 provided in chapter 160, including for salaries, support,
 3 10 maintenance, and miscellaneous purposes:
 3 11 \$ 40,000
 3 12 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
 3 13 DESIGNATED APPROPRIATIONS == MISCELLANEOUS
 3 14 Sec. 7. GENERAL FUND == SOIL AND WATER CONSERVATION
 3 15 DISTRICTS. There is appropriated from the general fund of the
 3 16 state to the department of agriculture and land stewardship
 3 17 for the fiscal year beginning July 1, 2006, and ending June
 3 18 30, 2007, the following amount, or so much thereof as is
 3 19 necessary, to be used for the purposes designated:
 3 20 For purposes of reimbursing commissioners of soil and water
 3 21 conservation districts for administrative expenses including
 3 22 but not limited to travel expenses, technical training, and
 3 23 professional dues:
 3 24 \$ 250,000
 3 25 A soil and water conservation district receiving moneys
 3 26 from an allocation provided pursuant to this section shall
 3 27 submit a report to the soil conservation division of the
 3 28 department of agriculture and land stewardship by July 1,
 3 29 2007, accounting for moneys which have been expended or
 3 30 unexpended or which have been obligated or encumbered. The
 3 31 report shall state how the moneys were used.
 3 32 Sec. 8. GENERAL FUND == SENIOR FARMERS MARKET NUTRITION
 3 33 PROGRAM. There is appropriated from the general fund of the
 3 34 state to the department of agriculture and land stewardship
 3 35 for the fiscal year beginning July 1, 2006, and ending June
 4 1 30, 2007, the following amount, or so much thereof as is
 4 2 necessary, to be used for the purposes designated:
 4 3 For purposes of administering a senior farmers market
 4 4 nutrition program, including for salaries, support,
 4 5 maintenance, and miscellaneous purposes:
 4 6 \$ 77,000
 4 7 Sec. 9. GENERAL FUND == STATE INTERAGENCY MISSOURI RIVER
 4 8 AUTHORITY. There is appropriated from the general fund of the
 4 9 state to the department of agriculture and land stewardship
 4 10 for the fiscal year beginning July 1, 2006, and ending June
 4 11 30, 2007, the following amount, or so much thereof as is
 4 12 necessary, to be used for the purpose designated:
 4 13 For purposes of supporting the department's membership in
 4 14 the state interagency Missouri river authority, created in
 4 15 section 28L.1, in the Missouri river basin association:
 4 16 \$ 9,535
 4 17 DEPARTMENT OF NATURAL RESOURCES
 4 18 GENERAL APPROPRIATIONS
 4 19 Sec. 10. GENERAL FUND == DEPARTMENT. There is
 4 20 appropriated from the general fund of the state to the
 4 21 department of natural resources for the fiscal year beginning
 4 22 July 1, 2006, and ending June 30, 2007, the following amount,
 4 23 or so much thereof as is necessary, to be used for the
 4 24 purposes designated:
 4 25 For purposes of supporting the department, including its
 4 26 divisions, for administration, regulation, and programs, for
 4 27 salaries, support, maintenance, miscellaneous purposes, and
 4 28 for not more than the following full-time equivalent

4 29 positions:
 4 30 \$ 17,792,579
 4 31 FTEs 1,113.63
 4 32 Sec. 11. STATE FISH AND GAME PROTECTION FUND == DIVISION
 4 33 OF FISH AND WILDLIFE.
 4 34 1. a. There is appropriated from the state fish and game
 4 35 protection fund to the department of natural resources for the
 5 1 fiscal year beginning July 1, 2006, and ending June 30, 2007,
 5 2 the following amount, or so much thereof as is necessary, to
 5 3 be used for the purposes designated:
 5 4 For purposes of supporting the division of fish and
 5 5 wildlife, including for administration, regulation, and
 5 6 programs, and for salaries, support, maintenance, equipment,
 5 7 and miscellaneous purposes:
 5 8 \$ 34,322,525
 5 9 b. Notwithstanding section 455A.10, the department may use
 5 10 the unappropriated balance remaining in the fish and game
 5 11 protection fund to provide for the funding of health and life
 5 12 insurance premium payments from unused sick leave balances of
 5 13 conservation peace officers employed in a protection
 5 14 occupation who retire, pursuant to section 97B.49B.
 5 15 2. The department shall not expend more moneys from the
 5 16 fish and game protection fund than provided in this section,
 5 17 unless the expenditure derives from contributions made by a
 5 18 private entity, or a grant or moneys received from the federal
 5 19 government, and is approved by the natural resource
 5 20 commission. The department of natural resources shall
 5 21 promptly notify the legislative services agency and the
 5 22 chairpersons and ranking members of the joint appropriations
 5 23 subcommittee on agriculture and natural resources concerning
 5 24 the commission's approval.
 5 25 Sec. 12. GROUNDWATER PROTECTION FUND == WATER QUALITY.
 5 26 1. There is appropriated from the groundwater protection
 5 27 fund created in section 455E.11 to the department of natural
 5 28 resources for the fiscal year beginning July 1, 2006, and
 5 29 ending June 30, 2007, from those moneys which are not
 5 30 allocated pursuant to that section, the following amount, or
 5 31 so much thereof as is necessary, to be used for the purposes
 5 32 designated:
 5 33 For purposes of supporting the department's protection of
 5 34 the state's groundwater, including for administration,
 5 35 regulation, and programs, and for salaries, support,
 6 1 maintenance, equipment, and miscellaneous purposes:
 6 2 \$ 3,455,832
 6 3 2. Of the amount of moneys to be allocated from the solid
 6 4 waste account of the groundwater protection fund to develop
 6 5 and implement demonstration projects for landfill alternatives
 6 6 to solid waste disposal including recycling programs pursuant
 6 7 to section 455E.11, subsection 2, paragraph "a", subparagraph
 6 8 (1), subparagraph subdivision (c), \$300,000 shall be used for
 6 9 purposes of supporting a one-year project to recycle hardware
 6 10 or equipment associated with personal computers.
 6 11 a. The department shall grant the moneys to a person or
 6 12 persons who shall administer the project on a statewide basis.
 6 13 b. The department shall make the award to a person or
 6 14 persons who applies in a manner and according to procedures
 6 15 required by the department. In scoring applications, the
 6 16 department shall provide the highest priority to a person who
 6 17 maintains at least fifty locations throughout the state which
 6 18 may be used as recycling centers and who will not charge a fee
 6 19 or charge a minimum fee to accept the hardware or equipment.
 6 20 DEPARTMENT OF NATURAL RESOURCES
 6 21 RELATED TRANSFERS
 6 22 Sec. 13. SPECIAL SNOWMOBILE FUND == SNOWMOBILE PROGRAM.
 6 23 There is transferred on July 1, 2006, from the fees required
 6 24 to be deposited in the special snowmobile fund under section
 6 25 321G.7 to the fish and game protection fund and appropriated
 6 26 to the department of natural resources for the fiscal year
 6 27 beginning July 1, 2006, and ending June 30, 2007, the
 6 28 following amount, or so much thereof as is necessary, to be
 6 29 used for the purpose designated:
 6 30 For purposes of administering and enforcing the state
 6 31 snowmobile program:
 6 32 \$ 100,000
 6 33 DEPARTMENT OF NATURAL RESOURCES
 6 34 DESIGNATED APPROPRIATIONS
 6 35 Sec. 14. UNASSIGNED REVENUE FUND == UNDERGROUND STORAGE
 7 1 TANK SECTION EXPENSES. There is appropriated from the
 7 2 unassigned revenue fund administered by the Iowa comprehensive
 7 3 underground storage tank fund board, to the department of
 7 4 natural resources for the fiscal year beginning July 1, 2006,

7 5 and ending June 30, 2007, the following amount, or so much
7 6 thereof as is necessary, to be used for the purpose
7 7 designated:
7 8 For purposes of paying for administration expenses of the
7 9 department's underground storage tank section:
7 10 \$ 200,000
7 11 Sec. 15. STORMWATER DISCHARGE PERMIT FEES == REDUCING
7 12 FLOODPLAIN PERMIT BACKLOG. Notwithstanding any contrary
7 13 provision of state law, for the fiscal year beginning July 1,
7 14 2006, and ending June 30, 2007, the department of natural
7 15 resources may use additional moneys available to the
7 16 department collected from stormwater discharge permit fees for
7 17 the staffing of the following additional full-time equivalent
7 18 positions for the purposes designated:
7 19 For purposes of reducing the department's floodplain permit
7 20 backlog:
7 21 FTEs 2.00
7 22 Sec. 16. STORMWATER DISCHARGE PERMIT FEES == IMPLEMENTING
7 23 THE FEDERAL TOTAL MAXIMUM DAILY LOAD PROGRAM. Notwithstanding
7 24 any contrary provision of state law, for the fiscal year
7 25 beginning July 1, 2006, and ending June 30, 2007, the
7 26 department of natural resources may use additional moneys
7 27 available to the department from stormwater discharge permit
7 28 fees for the staffing of the following additional full-time
7 29 equivalent positions for the purposes designated:
7 30 For purposes of implementing the federal total maximum
7 31 daily load program:
7 32 FTEs 2.00
7 33 IOWA STATE UNIVERSITY
7 34 DESIGNATED APPROPRIATION
7 35 Sec. 17. AGRICULTURAL REMEDIATION FUND == OPEN FEEDLOT
8 1 WATER QUALITY RESEARCH PROJECT. There is appropriated from
8 2 the agrichemical remediation fund created in section 161.7 to
8 3 the Iowa state university of science and technology for the
8 4 fiscal year beginning July 1, 2006, and ending June 30, 2007,
8 5 the following amount, or so much thereof as is necessary, to
8 6 be used for the purposes designated:
8 7 For purposes of supporting a water quality research project
8 8 which studies the effectiveness of alternative technologies
8 9 used to reduce risks to water quality from effluent
8 10 originating from open feedlots which house beef cattle:
8 11 \$ 100,000
8 12 In conducting the project, Iowa state university shall
8 13 cooperate with the Iowa cattlemen's association, the
8 14 department of natural resources, the department of agriculture
8 15 and land stewardship, and the United States department of
8 16 agriculture natural resource conservation service.
8 17 MISCELLANEOUS
8 18 Sec. 18. Section 455B.103A, subsection 4, Code Supplement
8 19 2005, is amended to read as follows:
8 20 4. a. An Except as provided in paragraph "b", an
8 21 applicant to be covered under a general permit shall pay a
8 22 permit fee, as established by rule of the commission, which is
8 23 sufficient in the aggregate to defray the costs of the permit
8 24 program. Moneys collected shall be remitted to the
8 25 department.
8 26 b. The commission shall adopt rules for a general permit
8 27 described in section 455B.197, including fees, only to the
8 28 extent that the rules are consistent with that section.
8 29 Sec. 19. Section 455B.105, subsection 11, Code Supplement
8 30 2005, is amended by adding the following new paragraph:
8 31 NEW PARAGRAPH. c. The commission shall adopt rules for
8 32 applications or permits related to the national pollutant
8 33 discharge elimination system (NPDES) coverage as described in
8 34 section 455B.197, including fees, only to the extent that the
8 35 rules are consistent with that section.
9 1 Sec. 20. NEW SECTION. 455B.196 NATIONAL POLLUTANT
9 2 DISCHARGE ELIMINATION SYSTEM PERMIT FUND.
9 3 1. A national pollutant discharge elimination system
9 4 permit fund is created as a separate fund in the state
9 5 treasury under the control of the department. The fund is
9 6 composed of moneys appropriated by the general assembly and
9 7 moneys available to and obtained or accepted by the department
9 8 from the United States or private sources for placement in the
9 9 fund. The fund shall include moneys deposited into the fund
9 10 from fees charged for the processing of applications for the
9 11 issuance of permits related to the national pollutant
9 12 discharge elimination system as provided in section 455B.197.
9 13 2. Moneys in the national pollutant discharge elimination
9 14 system permit fund shall be used only as provided in
9 15 appropriations made from the fund by the general assembly

9 16 which may include for purposes relating to expediting the
 9 17 department's processing of national pollutant discharge
 9 18 elimination system applications and the issuance of permits.
 9 19 3. Section 8.33 shall not apply to moneys credited to the
 9 20 national pollutant discharge elimination system permit fund.
 9 21 Notwithstanding section 12C.7, moneys earned as income or
 9 22 interest from the fund shall remain in the fund until expended
 9 23 as provided in this section.
 9 24 Sec. 21. NEW SECTION. 455B.197 NATIONAL POLLUTANT
 9 25 DISCHARGE ELIMINATION SYSTEM PERMITS.
 9 26 The department may issue a permit related to the
 9 27 administration of the national pollutant discharge elimination
 9 28 system permit program pursuant to the federal Water Pollution
 9 29 Control Act, 33 U.S.C. ch. 26, as amended, and 40 C.F.R., pt.
 9 30 124 including but not limited to storm water discharge permits
 9 31 issued pursuant to section 455B.103A. The department may
 9 32 provide for the receipt of applications and the issuance of
 9 33 permits as provided by rules adopted by the department which
 9 34 are consistent with this section. The department shall assess
 9 35 and collect fees for the processing of applications and the
 10 1 issuance of permits as provided in this section. The
 10 2 department shall deposit the fees into the national pollutant
 10 3 discharge elimination system permit fund created in section
 10 4 455B.196. The fees shall be established as follows:
 10 5 1. For a permit for the discharge from mining and
 10 6 processing facilities, NPDES general permit no. 5, the
 10 7 following fee schedule shall apply:
 10 8 a. An annual permit, one hundred twenty-five dollars each
 10 9 year.
 10 10 b. For a multiyear permit, all of the following shall
 10 11 apply:
 10 12 (1) A three-year permit, three hundred dollars.
 10 13 (2) A four-year permit, four hundred dollars.
 10 14 (3) A five-year permit, five hundred dollars.
 10 15 2. For coverage under the national pollutant discharge
 10 16 elimination system (NPDES) individual permits for storm water,
 10 17 for a construction permit, an application fee of one hundred
 10 18 dollars.
 10 19 3. For coverage under the national pollutant discharge
 10 20 elimination system (NPDES) individual permits for nonstorm
 10 21 water, the following annual fees apply:
 10 22 a. For a major municipal facility, one thousand dollars.
 10 23 b. For a minor municipal facility, one hundred fifty
 10 24 dollars.
 10 25 c. For a semipublic facility, two hundred dollars.
 10 26 d. For a facility that holds an operation permit, with no
 10 27 wastewater discharge into surface waters, one hundred dollars.
 10 28 e. For a municipal water treatment facility, a fee shall
 10 29 not be charged.
 10 30 f. For a major industrial facility, two thousand dollars.
 10 31 g. For a minor industrial facility, one hundred seventy=
 10 32 five dollars.
 10 33 h. For an open feedlot operation as provided in chapter
 10 34 459A, an annual fee of two hundred fifty dollars.
 10 35 i. For a new facility that has not been issued a
 11 1 current nonstorm water NPDES permit, a prorated amount which
 11 2 shall be calculated by taking the annual fee amount multiplied
 11 3 by the number of months remaining before the next annual fee
 11 4 due date divided by twelve.
 11 5 j. For a facility covered under an existing nonstorm water
 11 6 NPDES permit, a prorated amount which shall be calculated by
 11 7 taking the annual fee amount multiplied by the number of
 11 8 months remaining before the next annual fee due date divided
 11 9 by twelve.
 11 10 k. For a nonstorm water permit as provided in this
 11 11 subsection, a single application fee of eighty-five dollars.
 11 12 Sec. 22. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
 11 13 PERMIT FUND == APPROPRIATION TO THE DEPARTMENT OF NATURAL
 11 14 RESOURCES. There is appropriated from the national pollutant
 11 15 discharge elimination system permit fund created in section
 11 16 455B.196 to the department of natural resources for the fiscal
 11 17 year beginning July 1, 2006, and ending June 30, 2007, the
 11 18 following amount, or so much thereof as is necessary, to be
 11 19 used for the purposes designated:
 11 20 For purposes of expediting the department's processing of
 11 21 national pollutant discharge elimination system applications
 11 22 and the issuance of permits, including salaries, support,
 11 23 maintenance, miscellaneous purposes, and for not more than the
 11 24 following full-time equivalent positions:
 11 25 \$ 400,000
 11 26 FTEs 4.00

11 27 Sec. 23. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
11 28 PERMIT FUND == APPROPRIATION TO THE DEPARTMENT OF ECONOMIC
11 29 DEVELOPMENT. There is appropriated from the national
11 30 pollutant discharge elimination system permit fund created in
11 31 section 455B.196 to the department of economic development for
11 32 the fiscal year beginning July 1, 2006, and ending June 30,
11 33 2007, the following amount, or so much thereof as is
11 34 necessary, to be used for the purposes designated:
11 35 For purposes of expediting the department of natural
12 1 resources processing of national pollutant discharge
12 2 elimination system applications and the issuance of permits,
12 3 including salaries, support, maintenance, miscellaneous
12 4 purposes, and for not more than the following full-time
12 5 equivalent positions:
12 6 \$ 100,000
12 7 FTEs 2.00
12 8 1. The department of economic development shall provide
12 9 one full-time equivalent position to support an environmental
12 10 advocate to provide technical assistance to persons engaged in
12 11 livestock operations who may require a national pollutant
12 12 discharge elimination system permit as provided in section
12 13 455B.197.
12 14 2. The department of economic development shall provide
12 15 one full-time equivalent position to support an environmental
12 16 advocate to provide technical assistance to persons who are
12 17 not engaged in livestock operations who may require a national
12 18 pollutant discharge elimination system permit as provided in
12 19 section 455B.197.
12 20 Sec. 24. TRAVEL POLICY.
12 21 1. For the fiscal year beginning July 1, 2006, each
12 22 department or independent agency receiving an appropriation in
12 23 this Act shall review the employee policy for daily or short=
12 24 term travel including but not limited to the usage of motor=
12 25 pool vehicles under the department of administrative services,
12 26 employee mileage reimbursement for the use of a personal
12 27 vehicle, and the usage of private automobile rental companies.
12 28 Following the review, the department or agency shall implement
12 29 revisions in the employee policy for daily or short-term
12 30 travel as necessary to maximize cost savings.
12 31 2. Each department or independent agency subject to
12 32 subsection 1 shall report to the general assembly's standing
12 33 committees on government oversight regarding the policy
12 34 revisions implemented and the savings realized from the
12 35 changes. An initial report shall be submitted on or before
13 1 December 1, 2006, and a follow-up report shall be submitted on
13 2 or before December 1, 2007.
13 3 HF 2540
13 4 da:jp/es/25